

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

WESTERN DIVISION

CLINTON BROWN,

Plaintiff,

v.

EMIL ASSENTATO, TAX DEED
ENTERPRISES LLC, STEVE WEERA
TONASUT TRUST,

Defendants.

Case No.:LACV23-02972-MEMF(KSx)

[PROPOSED] ORDER GRANTING
JOINT RULE 12(b)(6) MOTION TO
DISMISS [ECF No. 41] THE FIRST
AMENDED COMPLAINT [ECF NO.
40]

On January 17, 2024, all Defendants, (1) Emil Assentato, an individual; and (2) Tax Deed Enterprises, LLC, a Delaware limited liability company; and (3) Steve Weera Tonasut, as Trustee of the Tonasut Family Trust dated June 14, 2004, for and in place of Plaintiff's erroneously named "Steve Weera Tonasut Trust", filed a motion to dismiss the First Amended Complaint, styled by Plaintiff "Amended Complaint", ECF NO. 40, filed January 3, 2024.

Defendants moved to dismiss the First Amended Complaint as follows: under Rule 12(b)(6), that it is not pleaded with facts sufficient to state a claim, and not pleaded sufficiently under Rule 9(b) (fraud pleading), nor under the Private

[PROPOSED] ORDER ON MOTION TO DISMISS FIRST AMENDED COMPLAINT [ECF NO. 40]

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1 Securities Litigation Reform Act (“PSLRA”) 15 U.S.C. § 78u-4, that alleged claim
2 being a securities law claim, and that the arrangements and agreements are not
3 securities regulated under federal securities law.

4 The Court, having considered Defendants' Motion to Dismiss and finding
5 good cause therefore, hereby GRANTS the Motion and ORDERS as follows:

- 6 1. The First Amended Complaint [ECF NO. 40] is dismissed in its entirety
7 and as to each and all Defendants, with prejudice, without leave to
8 amend.

9 IT IS SO ORDERED.

10
11 Date: _____, 2024

12 MAAME EWUSI-MENSAH FRIMPONG

13 United States District Judge